

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1217

AN ACT to amend the Indiana Code concerning family law and juvenile law.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 31-19-17-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. **Except as provided in section 5 of this chapter**, this chapter applies only to an adoption that is granted after June 30, 1993.

SECTION 2. IC 31-19-17-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. A person, a licensed child placing agency, or a county office of family and children placing a child for adoption shall prepare a report summarizing the available medical, psychological, and educational records of the person or agency concerning the birth parents. The person, agency, or county office shall exclude from this report information that would identify the birth parents. The person, agency, or county office shall give the report to:

- (1) the adoptive parents:
  - (~~1~~) **(A)** not later than the time the child is placed with the adoptive parents; or
  - (~~2~~) **(B)** with the consent of the adoptive parents, not more than thirty (30) days after the child is placed with the adoptive parents; **and**
- (2) **upon request, an adoptee who is:**
  - (A) at least twenty-one (21) years of age; and**
  - (B) provides proof of identification.**

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SECTION 3. IC 31-19-17-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. The person, licensed child placing agency, or county office of family and children shall:

- (1) exclude information that would identify the birth parents; and
- (2) release all available social, medical, psychological, and educational records concerning the child to:

(A) the adoptive parent; **and**

**(B) upon request, an adoptee who is:**

- (i) at least twenty-one (21) years of age; and**
- (ii) provides proof of identification;**

SECTION 4. IC 31-19-17-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. The person, licensed child placing agency, or county office of family and children shall provide:

(1) the adoptive parent; **and**

**(2) upon request, an adoptee who is:**

**(A) at least twenty-one (21) years of age; and**

**(B) provides proof of identification;**

with a summary of other existing social, medical, psychological, and educational records concerning the child of which the person, agency, or county office has knowledge but does not have possession. If requested by an adoptive parent **or an adoptee**, the person, agency, or county office shall attempt to provide the adoptive parent **or the adoptee** with a copy of any social, medical, psychological, or educational record that is not in the possession of the person, agency, or county office after identifying information has been excluded.

SECTION 5. IC 31-19-17-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 5. (a) This section applies to an adoption that is granted before July 1, 1993.**

**(b) Upon the request of an adoptee who is:**

**(1) at least twenty-one (21) years of age; and**

**(2) provides proof of identification;**

**a person, a licensed child placing agency, or a county office of family and children shall provide to the adoptee available information of social, medical, psychological, and educational records and reports concerning the adoptee. The person, licensed child placing agency, or county office of family and children shall exclude from the records information that would identify the birth parents.**

SECTION 6. IC 31-19-19-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) All files and

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records pertaining to the adoption proceedings in:

- (1) the county office of family and children;
- (2) the division of family and children; or
- (3) any of the licensed child placing agencies;

are confidential and open to inspection only as provided in IC 31-19-13-2(2), **IC 31-19-17**, or IC 31-19-25.

(b) The files and records described in subsection (a), including investigation records under IC 31-19-8-5 (or IC 31-3-1-4 before its repeal):

- (1) are open to the inspection of the court hearing the petition for adoption; and
- (2) on order of the court, may be:
  - (A) introduced into evidence; and
  - (B) made a part of the record;
 in the adoption proceeding.

SECTION 7. IC 31-19-19-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. All papers, records, and information pertaining to the adoption, whether part of:

- (1) the permanent record of the court; or
- (2) a file in:
  - (A) the division of vital records;
  - (B) the division of family and children or county office of family and children;
  - (C) a licensed child placing agency; or
  - (D) a professional health care provider (as defined in IC 34-6-2-117);

are confidential and may be disclosed only in accordance with **IC 31-19-17**, this chapter, or IC 31-19-25.

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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

Approved: \_\_\_\_\_

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Governor of the State of Indiana

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